

HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

|                           |   |                              |
|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR17-0310-JCC            |
|                           | ) |                              |
| Plaintiff,                | ) | ORDER GRANTING UNOPPOSED     |
|                           | ) | MOTION TO CONTINUE TRIAL AND |
| v.                        | ) | PRETRIAL MOTIONS DEADLINE    |
|                           | ) |                              |
| MATTHEW HARBERT,          | ) |                              |
|                           | ) |                              |
| Defendant.                | ) |                              |
|                           | ) |                              |

This matter comes before the Court on Defendant's unopposed motion to continue the trial date and pretrial motions deadline (Dkt. No. 15). Having considered the relevant record and Defendant's waiver of speedy trial (Dkt. No. 16), the Court hereby finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C.

§ 3161(h)(7)(B)(iv); and

(b) failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of justice  
2 outweigh the best interests of the public and the defendant in any speedier trial, as set forth in  
3 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of February 12, 2018 and  
5 the new trial date is necessary to provide counsel for the defendant the reasonable time  
6 necessary to prepare for trial, considering counsel's schedule and all of the facts set forth  
7 above; and

8 (f) the period of delay from the date of this order to the new trial date is excludable  
9 time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

10 The Court therefore ORDERS that the trial date in this matter shall be continued from  
11 February 12, 2018 to July 9, 2018, and that pretrial motions shall be filed no later than May 31,  
12 2018.

13 Dated this 11th day of January 2018.

14  
15  
16  
17 

18 JOHN C. COUGHENOUR  
19 United States District Judge  
20  
21  
22  
23  
24  
25  
26